IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO. 447 OF 2004

WITH

COMPANY APPLICATION NO. 444 OF 2004

Rubicon Formulation
Pvt. Ltd., ..Petitioners.

vs.

M/s. Mac Laboratories
Ltd., ..Respondents.

Mr. C.S. Kapadia i/by K. Ashar &
Co. for petitioners.
None present for company.

CORAM : S.U.KAMDAR, J.
DATE : 10th MARCH, 2005.

P.C.

. The claim in the present petition is for Rs. 40,72,795.67. There is acknowledgement of liability of Rs. 25,71,269.18 by letter dated 24.2.2003. A Statutory notice was given on 15.12.2003. There is no reply to the same. Affidavits of service dated 20.10.2004 and 24.10.2004 are taken on record.

2. In the circumstances aforesaid the petition

is admitted and made returnable on 12.8.2005. The petitioner to deposit with the Prothonotary and Senior Master a sum of Rs. 2000/- within a period of one week from today.

3. The admission of the petition to be advertised in two newspapers namely, Free Press Journal and Navshakti and Government Gazette. On the failure of the petitioner to advertise the said petition, office is directed to advertise the same by utilising the amount deposited.

4. In so far as Company Application No. 444 of 2004 is concerned, the application is made absolute in terms of prayer clause (a). The provisional liquidator to take possession.

5. C.C. expedited.